

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CHRISTIAN OWENS,

Plaintiff,

v.

DONATTO, *et al.*,

Defendants.

No. 4:22-CV-01685

(Chief Judge Brann)

ORDER

AND NOW, this 23rd day of February 2023, in accordance with the accompanying Memorandum, **IT IS HEREBY ORDERED** that:

1. Plaintiff's motion (Doc. 7) for leave to proceed *in forma pauperis* is **GRANTED**.
2. Plaintiff's complaint, Doc. 1, is **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim upon which relief may be granted. Plaintiff's Section 1983 excessive force and retaliation claims are **DISMISSED** without prejudice as to defendants Donatto, Koons, Kump, and Estrada. Plaintiff's various Section 1983 claims are **DISMISSED** with prejudice as to defendants Rhoades, Huey, Iain, Sutherland, Warick, Knous, Reed, Ramos, Leshner, Nocton, and Mccarado.
3. The Clerk of Court is directed to terminate defendants Rhoades, Huey, Iain, Sutherland, Warick, Knous, Reed, Ramos, Leshner, Nocton, and Mccarado.
4. Plaintiff, if desired, shall have **21 days** from the date of this Order to file an amended complaint.

5. If no amended complaint is timely filed, the case will be closed.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

Chief United States District Judge